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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,615	02/18/2004	Kenji Asakura	P24949	8883
7055	7590	10/17/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			GLEITZ, RYAN M	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/779,615	Applicant(s) ASAKURA ET AL.	
	Examiner Ryan Gleitz	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 9 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 8 and 10-18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/18/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

Figures 1, 3-7, 9, and 10 are objected to because the cross hatching used for various parts incorrectly indicates the materials forming the parts. Specifically, many parts are shown to be formed of metal, which does not correspond to the Specification. A chart in the MPEP will aid Applicant in matching parts with the cross hatching for their respective materials. If no appropriate cross hatching is indicated by the chart, any non-designated cross hatching pattern will be accepted. See MPEP, 608.02, IX.

Specification

The abstract is objected to because it exceeds 150 words.

Claim Objections

Claims 1-18 objected to because of the following informalities:

“A” should be --An-- in claim 1, line 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 5, 6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tatematsu et al. (JP 2002-082549).

Tatematsu et al. disclose an image heating device including a heat generating section (21) that has an outer surface and generates heat by induction heating; a heating section (24) placed close to the outer surface of the heat generating section (21) that heats the heat generating section (21) by induction heating.

Figure 9 shows a positioning section (29) placed close to the end of the heating section (24) that positions the heating section (24) with respect to the heat generating section (21); and a vibration absorption section as spring (39) attached to the positioning section (29) that absorbs vibration of the heating section (24) produced when the heating section (24) heats the heat generating section (21) by induction heating.

Regarding claim 2, the heat generating section (21) is provided on a roller having a rotation axis and further comprises a supporting section (34), as shown in figure 16, that supports the rotation axis of the roller in a rotatable manner, and the vibration absorption (38) section is placed between the positioning section and the supporting section, as shown by comparing figures 9 and 16.

Regarding claim 3, the heat generating section can be a belt, as shown by figure 5, run between a plurality of rollers.

Regarding claims 5 and 6, the supporting section (34) and the positioning section (29) have their respective surfaces facing each other, and the respective surfaces of the supporting section and the positioning section are circumferential surfaces along the outer surface of the heat generating section.

Regarding claim 9, all vibration absorption members, such as spring (39), are made of a material whose vibration absorption performance exceeds a predetermined level at an arbitrary

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operating temperature. While the reference is silent as to the details of the spring, it must perform to absorb some vibrations at some level at some temperature.

Allowable Subject Matter

Claims 4, 7, 8, and 10-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yura et al. (US 2002/0113050) disclose a vibration absorption member for an image heating device in figure 9B.

Contact Information

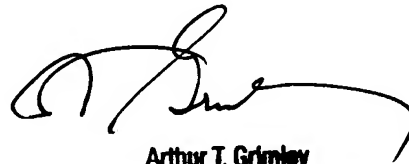
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rg



Arthur T. Grimley
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